

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

UNITED STATES OF AMERICA

V.

TOMMY LEE FITTS

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5:03-CR-40(1)

MEMORANDUM ORDER

The above-entitled and numbered criminal action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections were filed to the Report and Recommendation. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

ORDERED that Defendant's plea of true to the second allegation regarding Defendant's admitting on March 24, 2008 to having used marijuana is **ACCEPTED**. It is further

ORDERED that Defendant's supervised release is **REVOKED**. Based upon Defendant's plea of true to the allegations, the Court finds Defendant violated his conditions of supervised release as alleged in the U.S. Probation Office's petition. It is further

ORDERED that Defendant is committed to the custody of the Bureau of Prisons to be imprisoned for a term of fourteen (14) months with no term of supervised release to follow said term of imprisonment. It is further

REQUESTED that the Bureau of Prisons designate a facility closest to Texarkana, Texas or, if that is not possible, a facility closest to El Reno, Oklahoma for service of sentence and that

while incarcerated Defendant be allowed to participate in any available drug treatment program, anger management program, and parenting classes.

SIGNED this 20th day of July, 2009.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE